

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Astorino, et al. RECEIVED  
CENTRAL FAX CENTER  
Serial No.: 09/828,021  
Filed: 04/06/2001 JUL 21 2005  
Group Art Unit: 2644  
Examiner: Grier, Laura A.  
Title: ACTIVE NOISE CANCELLATION STABILITY SOLUTION

**RESPONSE**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

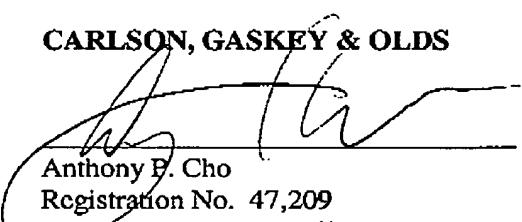
This paper is responsive to the Non-Final Office Action mailed on June 23, 2005.

**REMARKS**

The Examiner has required further election. Specifically, the Examiner requires election between Species I, claims 5-7, and Species II, claims 2-5 and 13-16. Applicant hereby elects without traverse to prosecute the invention of Species II, claims 2-5 and 13-16.

Respectfully submitted,

**CARLSON, GASKEY & OLDS**

  
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Dated: July 21, 2005

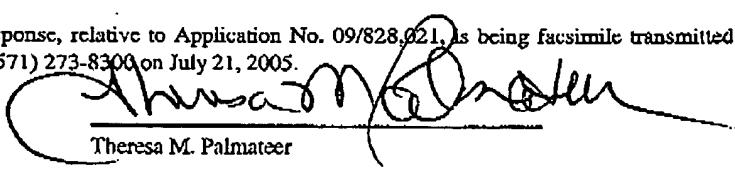
07/21/2005 THU 13:51 FAX 12489888363 Carlson, Gaskey & Olds

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60427-236  
2000P07567US01-7802

**CERTIFICATE OF FACSIMILE**

I hereby certify that this Response, relative to Application No. 09/828,021, is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300 on July 21, 2005.

  
Theresa M. Palmateer

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